

REMARKS

The Official Action mailed November 18, 2004, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to March 18, 2005. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on June 17, 1999, May 30, 2000, October 4, 2000, September 26, 2001, March 13, 2002, April 30, 2003, April 6, 2004, and August 23, 2004. However, the Applicants have not received acknowledgment of the Information Disclosure Statement filed on June 17, 2003. The Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the Information Disclosure Statement filed June 17, 2003.

Claims 1-3, 8, 11-14, 16-19, 32-34, 38-43, 52, 53, 58-60, 65, 71-73, 75, 78-81, 100-103 and 122-145 were pending in the present application prior to the above amendment. Claims 3, 8, 17-19, 32-34, 60, 65, 73, 75, 80, 81 102 and 103 have been canceled, and independent claims 1, 2, 122, 128, 134, 140 have been amended to better recite the features of the present invention. Accordingly, claims 1, 2, 11-14, 16, 38-41, 58, 59, 71, 72, 78, 79, 100, 101 and 122-145 are now pending in the present application, of which claims 1, 2, 122, 128, 134 and 140 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Figure 3 and page 21, line 1, of the specification have been amended to correct minor matters of form. Specifically, Figure 3 has been corrected to show sectional view numbers of A and A' instead of 1D and 1D, respectively, and page 21, line 1, of the specification has been corrected to change A-A1 to A-A'.

The Official Action objects to claims 1-3, 122, 128, 134 and 140 asserting that the feature of "the channel-forming regions of the recited two transistors are in two

Amendments to the Drawings:

The attached drawing sheet includes changes to Figure 3. Figure 3 has been amended so that the sectional view numbers in Figure 3 match the sectional view numbers in the specification. This sheet, which includes Figure 3, replaces the original sheet including Figure 3.

Attachment: Replacement Sheet

separated semiconductor layers” may have various interpretations and that one of the possible interpretations “would then be unreadable on the specification and the drawings (see Fig. 3) of the instant disclosure” (page 2, Paper No. 20041110). In response, independent claims 1, 2, 122, 128, 134 and 140 have been amended to recite that channel-forming regions or first and second semiconductor layers are formed in contact with a same insulating surface. The Applicants submit that the amended features of the independent claims are supported in the specification and the drawings. Reconsideration and withdrawal of the objections are requested.

Paragraph 3 of the Official Action rejects claims 1, 2, 11-14, 16, 71, 72, 78, 79, 122-125, 127-131, 133-137, 139-143 and 145 as anticipated by U.S. Patent No. 5,589,506 to Kato. The Applicants respectfully submit that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claims 1 and 2 have been amended to recite that at least two separate semiconductors are arranged in a channel width direction. Also, independent claims 122, 128, 134 and 140 have been amended to recite that a first semiconductor layer and a second semiconductor layer are arranged in a channel width direction. For example, the broken line A-A' in Figure 3 shows a channel length direction since the cross section of the broken line A-A' corresponds to Figure 1D as described in page 23, lines 1-2, of the specification. Also, it is noted that the amended features are advantageous in that a layout design of each electrode (or wiring) can be simpler as shown in Figure 3.

Although Kato may teach transistors connected in parallel with each other, it appears that Kato fails to teach that at least two separate semiconductors (or first

semiconductor and second semiconductor layers) in transistors that are connected in parallel with each other through common gate, source and drain electrodes are arranged in a channel width direction, either explicitly or inherently.

Since Kato does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.


Paragraph 5 of the Official Action rejects claims 3, 8, 17-19, 32-34, 38-43, 52, 53, 58-60, 65, 73, 75, 80, 81, 100-103, 126, 132, 138 and 144 as obvious based on the combination of Kato and U.S. Patent No. 5,403,772 to Zhang. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Please incorporate the arguments above with respect to the deficiencies in Kato. Zhang does not cure the deficiencies in Kato. The Official Action relies on Zhang to allegedly teach "that monocrystalline silicon can be desirably formed for improving the performance of the TFTs" (page 4, Paper No. 20041110). However, Kato and Zhang, either alone or in combination, do not teach or suggest that at least two separate semiconductors (first and second semiconductor layers) are arranged in a channel width direction. Since Kato and Zhang do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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